THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.1852 of 2006

DATED: 01.02.2006

Between:

J.Bhoolaxmi, E.No.850893,

Daily wage Conductor, Adilabad Region.

… Petitioner

and

The Regional Manager,

A.P.S.R.T.C, Adilabad Region,

Adilabad District. … Respondent.

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ORDER:

The petitioner was employed as a conductor in the Adilabad Region of A.P.S.R.T.C on daily wage basis. The Regional Manager, Adilabad, respondent herein, issued orders dated 13.12.2004 requiring the petitioner to report to the Hyderabad City Region for being engaged as conductor at that place. Alleging that the petitioner did not report to the duty at Hyderabad City Region within the stipulated time, the respondent passed the order dated 17.1.2006 deleting the name of the petitioner from the select panel of daily wage conductors. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

The petitioner is a woman conductor. It is virtually out of desperation that woman candidates would chose to be appointed or engaged as conductors in the A.P.S.R.T.C. It is not as if the petitioner was being paid monthly salary. She has been included in the panel and entrustment of work to her would depend upon the need on the concerned day. The R.T.C. would be under obligation to pay wages only for the days on which the petitioner is engaged as conductor.

The petitioner was transferred from Adilabad Region to Hyderabad Region. Though the direction to the petitioner by the respondent was to report duty at a different region, in effect it is nothing but a transfer. This Court held, in number of cases, that transfer of employees from one region to another can be effected only by the Executive Director. It was further observed that the inter-regional transfers may be effected only after ascertaining the views of the persons concerned where their appointment is on daily wages. The continuance of the petitioner on the panel of daily wage conductors at Adilabad region cannot be said to have resulted any

financial loss to the Corporation. Further, the difficulty to be faced by the petitioner on her being required to remain at Hyderabad, that too on daily wage basis without any assured income can easily be imagined.

Having regard to the facts and circumstances of the case, the writ petition is allowed and the impugned order is hereby set aside. The name of the petitioner shall be continued in the panel of select conductors and the entrustment of the duties to the petitioner shall depend upon the availability of work on the concerned day.

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01.02.2006.

Mdaa.